

SB

122

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: May 9, 1997

FURTHER REFERRALS: Labor and Commerce
World Trade

Date of Committee Action: 2/19/98

The STATE AFFAIRS Committee considered:

SB 122

SENATE BILL NO. 122

INS. COVERAGE: MARRIAGE & FAMILY THERAPIST

"An Act relating to unfair discrimination under a group health insurance policy for services provided by marital and family therapists; and providing for an effective date."

recommends it be replaced with the following committee substitute H.C.S.C.S.S.B. 122 (STA) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) _____ zero fiscal note(s) CED

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Janette James</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>Fred Dyson</i>	✓			
<i>Markie Higgins</i>			✓	

CHAIR'S SIGNATURE *Janette James*



Official Business

Alaska State Legislature

SENATE

State Capitol
Juneau, AK 99801-1182

SPONSOR STATEMENT

SB 122: Marital and Family Therapists

Senate Bill 122 was introduced by the Labor and Commerce Committee at the request of the Alaska Association for Marriage and Family Therapy (AAMFT). SB 122 adds marital and family therapists to the list of providers against whom insurers may not discriminate.

This bill does not require insurers to add coverage of marital and family therapists where the coverage currently is not provided. It merely requires that insurers treat marital and family therapists on equal footing with other licensed providers.

Section 1 adds marital and family therapists to the unfair discrimination list under group health insurance policies with an effective date of July 1, 1998.

Legislation (Section 4, CH 39, SLA 1993) affecting the unfair discrimination clause was passed in 1993 with an effective date of 1998. Section 2 repeals and reenacts this section to reflect the addition of marital and family therapists.

AAMFT is a division of the American Association for Marriage and Family Therapy, Inc.. Marriage and Family Therapists (MFTs) are a group of mental health professionals with background in a variety of disciplines, including psychology, social work, and family social science. MFTs are licensed or certified in 37 states and are recognized by the U.S. Department of Health and Human Services as one of the five core mental health disciplines in the United States.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 13, 1997

SUBJECT: Insurance discrimination - (SB 122)

TO: Senator Loren Lemman *LL*
Attn: Annette

FROM: Michael F. Ford
Legislative Counsel

You asked for an explanation of the legal effect of adding marital and family therapists to AS 21.36.090(d). This provision of law requires that group health insurers who provide coverage for a particular health care service, cannot deny coverage for services performed by a listed class of health care provider, if the service is within the scope of the health care provider's occupational license. By adding marital and family therapists to the list of "provider" they fall under the antidiscrimination protection of this section. For example, assuming SB 122 becomes law, if a marital and family therapist provides a service that is covered under the health insurance policy and within their occupational license, an insurer could not deny coverage. Note that SB 122 does not mandate coverage for particular services. Only if the service is covered under the group health policy does AS 21.36.090(d) have an effect.

Please contact me if you have further questions.

MFF:glc
97-171.glc

Commonly Asked Questions About Marriage and Family Therapists

Q) Who are you? How are you credentialed?

A) Marriage and family therapists (MFTs) are a multidisciplinary group of mental health professionals with backgrounds in a variety of disciplines, including psychology, social work, and family social science. MFTs are licensed or certified in 37 states and are recognized by the U.S. Department of Health and Human Services as one of the five core mental health disciplines in the U.S.

Q) What kind of services do MFTs provide?

A) MFTs are mental health generalists. They are versatile, working with individuals, couples, and families and across all age groups (i.e., children, adolescents, adults, and elders).

MFTs treat a wide variety of serious mental health problems most commonly depression, other psychological problems, marital problems, anxiety, parent-child problems, and problems related to alcohol and drug use. In a national study of 850 cases treated by MFTs, the problems in nearly half the cases (48.7%) were considered severe, extremely severe, or catastrophic. 29.3% of the clients were on a psychotropic medication, most commonly anti-depressants, and 16.6% of the clients also saw a psychiatrist. About 10% of the clients in the sample had been hospitalized for psychiatric problems in the past year. 17% of the clients also had a chronic or serious medical condition in addition to their psychosocial problems.

Q) How long does treatment take? Isn't "marriage counseling" endless?

A) Treatment by marriage and family therapists typically is brief with the average treatment case completed in 12 sessions. Treatment of families (9 sessions) and couples (11.5 sessions) is briefer than individual therapy (13 sessions). In a national study of marriage and family therapists, 42% of the cases were completed in 10 or fewer sessions and two-thirds (66%) were completed within 20 sessions.

Q) What do consumers say about treatment by marriage and family therapists?

A) In a national survey, clients of marriage and family therapists expressed overwhelming satisfaction with every aspect of the services they received. 98.1% of those surveyed rated services as good or excellent. 98% of clients said that the services they received from a marriage and family therapist helped them deal more effectively with their problems. 94% said that they would return to same therapist in future and 97% said that they would recommend their therapist to family and friends.

Similarly, a 1993 survey of consumers in the American Psychologist found that MFTs were the type of therapist most often recommended by consumers to family and friends.

Q) Does marriage and family therapy work? What is the outcome of treatment?

A) There is a large body of research indicating that marriage and family therapy is effective in treating individuals, couples and families with a wide variety of presenting problems and diagnoses. Consumers report that treatment by an MFT resulted in improvements in functioning in a number of areas including physical health, work performance, relationships with partners and family members, child behavior, and school performance.

There are studies that indicate that family problems are now the number one problem brought to Employee Assistance Programs (EAPs), replacing alcohol and drug problems. Left untreated, these problems can result in lost hours and diminished productivity.

Business people are interested in getting people back to work or having them be productive and focused at work. Treatment by MFTs can help to meet that goal. In 55% of the cases in our study, clients reported an improvement in their functioning at work and 46% of clients reported that they were better able to get along with co-workers. In addition, almost two-thirds of all clients (63.4%) in our study reported that their physical health was better than it had been prior to treatment.

Q) What does it cost? Do MFTs provide cost-effective treatment?

A) Since we know about typical length of treatment and average costs nationally and in 16 states, we can now approximate the average cost of treatment for the typical case.

Couple and family treatment is briefer than individual treatment. It is reasonable to conclude, therefore, that treating 4 family members conjointly for 4 sessions will be cheaper than treating 4 family members individually for 10 sessions each.

Source: William J. Doherty and Deborah S. Simmons. (1996). Clinical practice patterns of marriage and family therapists: A national survey of therapists and their clients. *Journal of Marital and Family Therapy*, 22, 9-25.

Explanation of Services



Blue Cross
of Washington and Alaska
An independent licensee of the
Blue Cross and Blue Shield Association

P.O. Box 327
Seattle, Washington 98111-0327
1-800-213-5470

Date: 04/14/97
Provider #: 564428465
Page #: 1

SUBSCRIBER NAME PATIENT ACCOUNT/GROUP # PATIENT NAME CLAIM NUMBER/SUBSCRIBER ID	DATES OF SERVICE	PROCEDURE CODE(S)	TOTAL CHARGE(S)	ALLOWED AMOUNT	AMOUNT PAID	P D T O	SUBSCRIBER BALANCE	AUDIT CODE(S)
J. MI 7597055575/574706122 R45BB01	030397 030397	90899	150.00		.00		150.00	OOC
J. M 7094203576/574706122 R45BB01	121096 121096 121796 121796 010297 010297 010697 010697 011397 011397 012197 012197 012997 012997 020497 020497 021997 021997 022597 022597	90899 90899 90860 90899 90860 90844 90844 90860 90860 90860	262.50 150.00 112.50 150.00 112.50 75.00 100.00 112.50 130.25 112.50		.00 .00 .00 .00 .00 .00 .00 .00 .00 .00		262.50 150.00 112.50 150.00 112.50 75.00 100.00 112.50 130.25 112.50	OOC
	PATIENT TOTAL---		1467.75	.00	.00		1467.75	
	DED. APPLIED---		.00	OTH COVERAGE---			.00	
	PATIENT BALANCE		1467.75	.00	.00		1467.75	
	PAID AS ALLOWED		.00	.00	.00		.00	
	PAID AS CHARGED		.00	.00	.00		.00	
	VOUCHER TOTAL---		1467.75	.00	.00		1467.75	

EXPLANATION of AUDIT CODE(S):
OOC SERVICES BY THIS PROVIDER ARE NOT COVERED.

EXPLANATION of PAID TO CODE(S):
P = PROVIDER
S = SUBSCRIBER
C = CO-PAY
A = ADJUSTMENT
O = OTHER

*Counseling provided by
Licensed Marriage & Family Therapist
not reimbursed*

Licensed MFT

DIXIE A HOOD MA
222 SEWARD #210
JUNEAU AK 99801-1236



*ordered Final 7/19/98
& updated fiscal Note
From Shari*

0-LS0700VI
Ford
2/17/98

HOUSE CS FOR CS FOR SENATE BILL NO. 122()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to unfair discrimination under a group health insurance policy
2 for services provided by marital and family therapists; and providing for an
3 effective date."

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 * Section 1. AS 21.36.090(d) is amended to read:

6 (d) Except to the extent necessary to comply with AS 21.42.365 and AS 21.56,
7 a person may not practice or permit unfair discrimination against a person who
8 provides a service covered under a group health insurance policy that extends coverage
9 on an expense incurred basis, or under a group service or indemnity type contract
10 issued by a nonprofit corporation, if the service is within the scope of the provider's
11 occupational license. In this subsection, "provider" means a state licensed physician,
12 dentist, osteopath, optometrist, chiropractor, nurse midwife, advanced nurse
13 practitioner, naturopath, physical therapist, occupational therapist, marital and family
14 therapist, psychologist, psychological associate, or licensed clinical social worker, or

1 certified direct-entry midwife.

2 * Sec. 2. This Act applies to a policy of insurance issued or renewed on or after the
3 effective date of this Act.

4 * Sec. 3. This Act takes effect July 1, 1998.

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. SB 122

Revision Date (2/19/98) _____ Dept. Affected Commerce & Economic Development
 Title An Act relating to unfair discrimination under a group BRU Insurance
Insurance policy for services provided by marital and family therapists Component Insurance
 Sponsor Senate L&C by request
 Requester House - State Affairs Component Serial No. 354

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
This bill has no fiscal impact on the component

Prepared by Marianne K. Burke, Director *Marianne K. Burke* Phone 465-2515
 Division Insurance Date 2/19/98
 Approved by Commissioner Deborah B. Sedwick *Deborah B. Sedwick* Date 2-19-98
 Agency Commerce and Economic Development

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FISCAL NOTE

No. 1

Bill Version: CSSB 122 (Lec)

(S) Publish Date: 4-9-97

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Revision Date: _____
 Title: An Act relating to unfair discrimination under a group
insurance policy for services provided by marital and family therapists
 Sponsor: Senate L&C
 Requestor: _____

Department: Commerce and Economic Development
 BRU: Insurance
 Component: Insurance

COMPONENT SERIAL NO. _____ 324

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 97) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill has no fiscal impact on the component.

Prepared by: Marianne K. Burke, Director
 Division: Insurance
 Approved by Commissioner: William L. Hensley
 Agency: Commerce and Economic Development

Phone: 465-2515
 Date: 3-25-97
 Date: 3/25/97

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